



## LEGISLATIVE UPDATE

June 12, 2015

The hot news this week is that the Senate's budget proposal did not come out as anticipated; however, it is expected early next week, if not over the weekend. Early predictions forecast a much different plan than the House version. One recent development is the Senate Education Appropriations Committee meeting notice for Monday at 4 p.m. – this is a solid sign of the Senate's release of its budget soon. As Session moves forward, much work is also being done behind the scenes to finalize bills that have moved from one Chamber to the other or have been assigned to appointed conference committees, which resolve differences between the two Chambers. Continue to check the [General Assembly's website](#) for the release of the Senate's budget in the days ahead and the progress of legislation.

### **Relevant Bills in Committee:**

#### [HB 86](#) Utility Line Relocation/School Board

On Wednesday, the Senate Committee on Transportation approved HB 86, and the Senate passed it on Thursday with no changes. It will now go to the Governor's desk. The bill would require the State Department of Transportation to pay for certain "nonbetterment costs" of relocating water and sewer lines on property owned by a local board of education when the lines are located in the right-of-way of a state-led transportation improvement project. The bill adds "a local board of education" to the list under G.S. 136-27.1.

#### [HB 247](#) Hoke County Local Option Sales Tax

On Thursday, the House Committee on Finance approved HB 247, and the House is scheduled to hear it on Monday, June 15. The bill would allow Hoke County to hold a referendum vote of its citizens for an additional ½ cent sales tax increase. The proceeds of the tax would be limited to school construction and renovation or the purchase of land or facilities for schools. The current sales tax rate in Hoke County is 2.0%.

#### [SB 578](#) Transition Certain Abuse Investigations/DCDEE

On Thursday, the House Judiciary III Committee approved SB 578. Previously, the Senate and the House Committee on Children, Youth, and Families approved this bill. It would assign authority for conducting abuse and neglect investigations in childcare facilities to the Department of Health and Human Services, specifically, the Division of Child Development and Early Education. Currently, such investigations are under the purview of county level Departments of Social Services. Any public school program licensed by the Division of Child Development and Early Education and facing an abuse and neglect investigation would be subject to this amended process.

## **Relevant Bills on the Floor This Week:**

### **[HB 424](#)** Fostering Success

On Tuesday, the House amended and unanimously passed HB 424; it is now assigned to the Senate Committee on Health Care. The bill would extend the provision of foster care and guardianship services to 19 years of age from 18 for recipients who are: (1) completing secondary education or an equivalent program, (2) enrolled in postsecondary or vocational education, (3) participating in a program or activity designed to promote, or remove barriers to, employment, (4) employed for at least 80 hours per month, or (5) incapable of completing these educational/employment requirements due to a medical condition or disability. A child who initially chooses to opt out of foster care at age 18 would be allowed to receive foster care services at a later date up to age 19. The Social Services Commission would be directed to adopt rules necessary for the expansion of foster care to the age of 19. The State Department of Health and Human Services is directed to submit a state plan amendment to the federal government for payments of foster care and adoption assistance under Title IV-E federal law. The Social Services Board would adopt rules establishing a Guardianship Assistance Program (GAP) and define the phrase "legal guardian" under this law.

### **[HB 495](#)** OSHR Modernization/Technical Changes

On Tuesday, the Senate amended and approved HB 495. The bill will now go back to the House for a vote on concurrence with Senate changes. As previously reported, the bill would make various changes to state personnel statutes formerly known as the "State Personnel Act," now codified as the "NC Human Resources Act" (NCHRA). There were two amendments adopted on the Senate floor. The first amends G.S. 126-14.2 to require all state departments, agencies, and institutions to "*select the most qualified person* from the pool of qualified persons for state government employment" (current law states: "*select from the pool of the most qualified persons...*") (emphasis added). The second amendment deletes a change previously made in this bill that would have removed an existing requirement for state personnel records to contain the age of an employee (thereby keeping the current law requiring the recording of each state employee's age). Two other amendments were offered on the Senate floor, but failed. This state personnel law bill had vigorous debate in both committees and on the floor of each Chamber.

### **[SB 333](#)** Teacher Attrition Data

On Tuesday, the Senate voted not to concur with the House's most recent amendment to SB 333. One of the bill sponsors characterized the House's new provision as a "squirrely amendment" that could have led to an unintended consequence of breaching the confidentiality of a teacher's personnel information, and the Senate unanimously voted down the amendment. The bill will now go to an appointed [conference committee](#) to reach a compromise between the two Chambers. Generally, the bill adds fields of data under G.S. 115C-12(22) for the SBE's annual Report on the Teaching Profession (i.e., "Teacher Turnover Report"). New data to be collected under this bill would be reflected in the 2017 annual report using data from the 2016-2017 school year.

### **Other Bills with Action This Week:**

#### **HB 190** State Health Plan Modifications

- Presented to the Governor

#### **HB 274** Retirement Technical Corrections Act of 2015

- Signed by the Governor; SL 2015-67

#### **HB 401** Authorize Data Sharing for NCLDS

- Withdrawn from Senate Committee on Information Technology

#### **HB 795** SEPA Reform

- Presented to the Governor

#### **SB 112** Comm. Fishing Courses/Coastal Colleges

- Signed by the Governor; SL 2015-63

#### **SB 298** School Bus Cameras/Civil Penalties

- Withdrawn from House Judiciary III Committee

#### **SB 315** School Playgrounds Access to Public

- Signed by the Governor; SL 2015-64

#### **SB 400** School Access to Girl Scouts/Boy Scouts

- Withdrawn from House Committee on Rules
- Referred to the House Committee on K-12 Education

#### **SB 487** Health Choice Technical Revisions

- Presented to the Governor on Thursday

#### **SB 597** Repeal References to ABCs

- Signed by the Governor; SL 2015-65

### **Meetings June 15- 19:**

#### **Monday, June 15**

- 1:00 – 5:00 PM Academic Standards Review Commission  
<http://www.doa.nc.gov/asrc/upcomingmeetings.aspx>
- 1:30 Senate Convenes
- 4:00 PM Senate Committee On Appropriations on Education/Higher Education
- 7:00 PM Senate Reconvenes
- 7:00 PM House Convenes
  - **HB 247** Hoke County Local Option Sales Tax

#### **Tuesday, June 16**

- 8:30 AM House Committee on Finance
  - **HB 679** UNC Self-Liquidating Projects
- 9:00 AM North Carolina Charter Schools Advisory Board
- 11:00 AM House Committee On Education – Universities
  - **SB 478** In-State Tuition for Certain Vets/Fed Program

#### **Friday, June 19**

- 1:00 – 5:00 PM SBE Task Force on Summative Assessment

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(through July 31, 2015)